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MAR 01 2002 MR

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
BY WESTERN DISTRICT OF WASHINGTON  
DEPUTY

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v

LAIDLAW INC., and  
LAIDLAW EDUCATION SERVICES dba  
LAIDLAW TRANSIT, INC.

Defendant.

CIVIL ACTION NO

**CV02-0468**

COMPLAINT

JURY TRIAL DEMAND

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of sex and to provide appropriate relief to Sheryl Everson ("Ms. Everson"). The Equal Employment Opportunity Commission alleges that defendant subjected Ms. Everson to disparate treatment on the basis of her sex, female. Plaintiff seeks monetary relief, including pecuniary and nonpecuniary compensatory and punitive damages and injunctive relief, on behalf of Ms. Everson.

CV 02-0468 #1

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JURISDICTION AND VENUE

1  
2  
3 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§451, 1331, 1337,  
4 1343 and 1345. This action is authorized and instituted pursuant to sections 706(f)(1) and  
5 (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. sections 2000e-  
6 5(f)(1) and (3) ("Title VII"), and Section 102 of the Civil Rights Act of 1991, 42 U.S.C.  
7 §1981a.

8 2. The employment practices alleged to be unlawful were committed within the  
9 jurisdiction of the United States District Court for the District of Washington at Seattle.

PARTIES

10  
11 3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"),  
12 is the agency of the United States of America charged with the administration,  
13 interpretation and enforcement of Title VII, and is expressly authorized to bring this action  
14 by Section 706(f)(1) of Title VII, 42 U.S.C. §2000e-5(f)(1).

15 4. At all relevant times, defendant Laidlaw Inc., and Laidlaw Education Services  
16 dba Laidlaw Transit Inc. ("Laidlaw") has been a corporation continuously doing business in  
17 the State of Washington and has continuously had at least 15 employees.

18 5. At all relevant times, defendant Laidlaw has continuously been an employer  
19 engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and  
20 (h) of Title VII, 42 U.S.C. §§2000e-(b), (g) and (h).

STATEMENT OF CLAIMS

21  
22 6 More than thirty days prior to the institution of this lawsuit, Ms. Everson filed a  
23 charge with the Commission alleging violations of Title VII by defendant Laidlaw. All  
24 conditions precedent to the institution of this lawsuit have been fulfilled.

25 7. Since on or about March 2, 2001, defendant Laidlaw engaged in unlawful  
26 employment practices at its Seattle, Washington facility in violation of §§ 703(a) of Title VII,  
27 42 U.S.C. §§ 2000e-2(a). Defendant Laidlaw affected the terms and conditions of Ms.

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1 Everson's employment by subjecting her to disparate treatment in the terms and conditions  
2 of her employment because of her sex, female

3 8. The effect of the practices complained of in paragraph 7 above has been to  
4 deprive Ms. Everson of equal employment opportunities and otherwise adversely affect her  
5 status as an employee because of her sex, female.

6 9. The unlawful employment practices complained of in paragraph 7 above  
7 were intentional.

8 10. The unlawful employment practices complained of in paragraph 7 above  
9 were done with malice or with reckless indifference to Ms. Everson's federally protected  
10 rights

11 PRAYER FOR RELIEF

12 Wherefore, the Commission respectfully requests that this Court

13 A. Grant a permanent injunction enjoining defendant, its officers, successors,  
14 agents, assigns, and all persons in active concert or participation with it, from engaging in  
15 any employment practices which discriminate on the basis of sex.

16 B Order defendant to institute and carry out policies, practices, and programs  
17 which provide equal employment opportunities for all employees, and which eradicate the  
18 effects of its past and present unlawful employment practices.

19 C. Order defendant to make whole Ms. Everson by providing appropriate back  
20 pay with prejudgment interest, in amounts to be determined at trial, and other affirmative  
21 relief necessary to eradicate the effects of its unlawful employment practices

22 D. Order defendant to make whole Ms. Everson by providing compensation for  
23 past and future pecuniary losses resulting from the unlawful employment practices  
24 described in paragraph 7 above, including past and future out-of-pocket expenses, in  
25 amounts to be determined at trial.

26 E. Order defendant to make whole Ms Everson by providing compensation for  
27 past and future nonpecuniary losses resulting from the unlawful practices complained of in

1 paragraph 7 above, including without limitation emotional pain, suffering, and loss of  
2 enjoyment of life, in amounts to be determined at trial.

3 F. Order defendant to pay Ms Everson punitive damages for its malicious and  
4 reckless conduct described in paragraph 7 above, in amounts to be determined at trial.

5 G. Grant such further relief as the Court deems necessary and proper in the  
6 public interest

7 H. Award the Commission its costs of this action.

8  
9 JURY TRIAL DEMAND

10 The Commission requests a jury trial on all questions of fact raised by its complaint.

11  
12 DATED this 1<sup>st</sup> day of March, 2002.

13  
14 A. LUIS LUCERO, JR.  
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GWENDOLYN YOUNG REAMS  
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25  
26  
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